

REMARKS

Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

A. Status of the Claims and Explanation of Amendments

By this paper the title is amended. The amendment is believed to resolve the objections of the April 5, 2007 Office Action at page two. Applicant notes, however, that the title has been amended to enable the United States Patent and Trademark Office and the public generally to determine quickly from a cursory inspection the nature and gist of the technical disclosure and to aid indexing, classifying and searching. 37 C.F.R. § 1.72(b); MPEP § 606.01. The amendment is *not* intended to narrow, limit, alter or otherwise characterize what Applicant regards as the invention. It is, of course, the claims and not the title that defines the invention being claimed.

Claims 1-8 are pending.

The office rejected claims 1-8 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,917,013 to Kidono et al (“Kidono”).

B. Claims 1-8 are Patentably Distinct from Kidono

The rejections of claims 1-8 are respectfully traversed. As explained more fully below, the requirements for such rejections are not met. In particular, Kidono does not teach, disclose or suggest the “correction means” of Applicant’s claim 1.

Applicant’s claim 1 recites:

An image sensing apparatus having an image sensing device, comprising:

driving means for driving the image sensing device by a plurality of driving schemes;

pixel defect information storage means for storing pixel defect information as information about a pixel defect in the image sensing device in correspondence with each driving scheme; and

correction means for correcting the pixel defect by referring to the pixel defect information in said pixel defect information storage means in accordance with the driving scheme with which said driving means drives the image sensing device.

Applicant notes that Kidono is directed towards correcting the occurrence of a “smear” in an image pickup device, not correcting or compensating for pixel defects in an image sensing device. [Compare Kidono, col. 2, lines 23-38 (stating that a favorable smear correction can be performed to solve the problems in the conventional smear correction means) and col. 5, lines 25-37 (noting that defects in pixels of the image pickup device are determined upon inspection and discussion on “**pixel defect compensation [i.e., correction] processing and description thereof will be omitted**”) (emphasis added)]. In fact, any mention of a pixel defect is made in reference to the smear correction process described in Kidono. [See e.g., Kidono, col. 5, lines 44-58 (discussing smear correction in digital camera)]. Nonetheless, the office action asserts that Kidono discloses a “correction means” as recited in Applicant’s claim 1. [04/05/2007 Office Action at pp. 2-3].

To support its assertion that Kidono discloses the “correction means” of Applicant’s claim 1, the office action cites to column 4, lines 18-31 of Kidono. [04/05/2007 Office Action at pp. 3]. That text is a section of Kidono’s written description, and reads as follows:

“The types of signal processing to be performed at the digital process circuit 8 include smear correction processing using output level information of the vertical 0B pixels which is a main subject of the

invention. In particular, the digital process circuit 8 includes: a correction reference signal generating section 8-1 for generating a smear eliminating reference signal on the basis of the output level of vertical 0B pixels; and an image signal correcting section 8-2 for correcting (eliminating smears of) image signals in an effective pixel region by using the smear eliminating reference signal. Further, a normal drive and an optional n-addition drive are performed in readout of image pickup signals by suitably changing the pattern of drive clock of the CCD driver 6 as required.”

[Kidono, col. 4, lines 18-31].

The above referenced text does not mention a pixel defect at all, much less the correction of such a defect based upon pixel defect information stored in the “pixel defect information storage means in accordance with the driving scheme with which said driving means drives the image sensing device.” Rather, the text is directed to a digital process circuit of an image pickup apparatus which is used to facilitate “smear correction.” [Kidono, col. 4, lines 18-28]. The digital process circuit contains (1) a correction reference signal generating section and (2) an image signal correcting section. [Kidono, col. 22-25]. The correction reference signal generating section “generate[s] a smear eliminating reference signal on the basis of the output level of vertical 0B pixels.” [Kidono, col. 4, lines 21-25]. The image signal correcting section “correct[s] (eliminat[es] smears of) image signals in an effective pixel region by using the smear eliminating reference signal” which is “stored in a predetermined memory region of the **digital processing circuit**.” [Kidono, col. 4, lines 25-28; col. 5, lines 38-44 (emphasis added)]. Hence, the eliminating of smears of image signals is based upon the correction reference signal which is generated in the digital process circuit, not based upon a reference signal stored in the EEPROM, which the office action asserts discloses the “pixel defect information storage means” of

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Applicant's claim 1. [See 4/05/2007 Office Action at p. 2 ("For **claim 1**, Kidono discloses . . . pixel defect information storage means (18) for storing pixel defect information as information about a pixel defect in the image sensing device in correspondence with each driving scheme (col. 5, lines 25-37)")) (emphasis in original); Kidono, Fig. 1 at Reference No. 18]. Therefore, Kidono does not teach, disclose or suggest the "correction means for correcting the pixel defect by referring to the pixel defect information in said pixel defect information storage means in accordance with the driving scheme with which said driving means drives the image sensing device" as recited Applicant's claim 1.

Accordingly, as Applicant cannot find the "correction means" of claim 1 in Kidono, at least independent claims 1 and its dependent claims 2-5 are respectfully asserted to be in condition for allowance. For at least similar reasons, independent claims 6-8 also are respectfully asserted to be in condition for allowance.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art. Likewise, Applicant has chosen not to swear behind the documents cited by the office action or to otherwise submit evidence to traverse the rejection at this time. Applicant, however, reserves the right, as provided by 37 C.F.R. §§ 1.131 and 1.132, to do so in the future as appropriate. Finally, Applicant has not specifically addressed the rejections of the dependent claims. Applicant respectfully submits that the independent claims, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address such rejections of the dependent claims in the future as appropriate.

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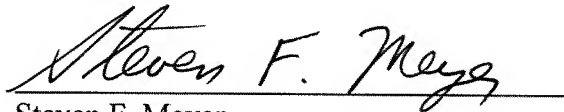
CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5277.

Respectfully submitted,
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Dated: July 2, 2007

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